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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,671	03/18/2004	Yoshiyuki Ikezaki	503038.108006	5930
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DAY PITNEY LLP 7 TIMES SQUARE NEW YORK, NY 10036-7311			EXAMINER VO, ANH T N	
			ART UNIT	PAPER NUMBER
			2861	
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			06/15/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/803,671

Applicant(s)

IKEZAKI ET AL.

Examiner

Anh T.N. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-41 is/are allowed.
- 6) ☒ Claim(s) 42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **FINAL REJECTION**

The rejections over Tajima et al. (US Pat. 6,467,890), Yonekubo (JP2002205413), Yoshiyama et al. (US Pat. 6,619,776), Erickson (US Pat. 6,164,766) and Yang et al. (US Pat. 6,247,807) are withdrawn in view of the amendments to the claims.

## **CLAIM REJECTIONS**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 42 is rejected under 35 USC 102 (b) as being anticipated by Miyazawa et al (US 5,889,543).

Miyazawa et al discloses in Figures 1(a), 1(b), 2(a) and 2(b) an ink cartridge comprising:

- an ink room (1) that reserve the ink to be supplied to the inkjet head (6); and a dividing member (4) that divides at least a portion about a surface of the ink reserved in the ink room into a plurality of sections arranged in a movable direction of the carriage, said plurality of sections being in fluid communication with each other only at upper portions thereof, see Figures 2(a)-2(b).

## ***Response to Applicant's Arguments***

The applicant's arguments over Yonekubo are persuasive without traverse.

***Allowable Subject Matter***

Claims 1-41 are allowed. These claims are allowed because the prior art of record fails to suggest:

- “the multiple rooms being in fluid communication with each other at upper portions thereof, the partition wall having a portion extending in a direction substantially perpendicular to the reciprocating direction of the carriage, and the upper portions of the multiple rooms being located opposite and distal from the inkjet head in the direction substantially perpendicular to the reciprocating direction of the carriage” as combined in claim 1.
- “wherein the movable ink tank includes a partition wall that divides the ink storing space into multiple rooms, the multiple rooms being arranged in a direction parallel to a reciprocating direction of the carriage, the multiple rooms being in fluid communication with each other at upper portions thereof, the partition wall having a portion extending in a direction substantially perpendicular to the reciprocating direction of the carriage, and wherein the partition wall is flexible” as combined in claims 10.
- “a movable ink tank having an ink introducing opening, an ink storing space in which ink introduced through the ink introducing opening is stored, and an ink discharging opening through which the ink of the ink storing space is supplied to the inkjet head; wherein at least a part of at least one side of the movable ink tank is light transmissive; and wherein the light transmissive part of the movable ink tank is flexible” as combined in claim 16.
- “wherein one of the multiple rooms of the movable ink tank is in fluid communication with the ink discharging opening and has a side wall of which portion facing the partition wall is light transmissive, and wherein the light transmissive portion is flexible” as combined in claim 19.
- “wherein the said first and second ink rooms are arranged in the reciprocating direction and separated from each other with a plate like wall formed perpendicular to the reciprocating direction, and wherein the plate like wall has flexibility to absorb pressure fluctuation in the ink within the first and second ink rooms” as combined in claim 23.
- “wherein at least a part of a side wall of the first ink room facing the plate like wall has

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flexibility to absorb pressure fluctuation in the ink within the first ink room, wherein the at least a part of the sidewall of the first ink room is a flexible film, and wherein the film is a light transmissive film” as combined in claims 28 and 31.


### **CONCLUSION**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Monday to Friday from 9:00 A.M. to 5:30 P.M.. The fax number of this Group 2861 is (571) 273-8300.

  
ANH T. N. VO  
**PRIMARY EXAMINER**

June 7, 2007